

## Remarks

The present invention relates to a novel device for aging wine with a spinel emitting radiation in a preferred spectral range of 18-30 microns.

Claims 2, 6, 7, 13 and 14 are rejected under 35 USC 112 as being indefinite. Claims 2, 6, and 7 have been amended to facilitate the understanding of the invention. Claim 13 and 14 are replaced by claim 15 and 16. A new dependent claim 17 is added.

Claim 2 is now amended to identify a preferred spectral range 18-30 microns, thereby limiting claim 1.

The trademark styrofoam™ in claim 6 and specification (p. 5) has been amended by substituting "expanded synthetic resinous material" which is given in the MPEP.

The Examiner questioned the 30% of Fe in B in Claim 7. Claim 7 is now amended to trivalent Fe in weight percent. This refers to the percentage by weight of iron in the spinel,  $AB_2O_4$  when B is Fe. The weight percentage of  $Fe^{+++}$  in the spinel is calculated from the atomic weights of the chemical elements in spinel,  $AB_2O_4$ . The iron should be at least 30% by weight. For example, for  $MnFe_2O_4$ ,  $55.9 \times 2 / (54.9 + 55.9 \times 2 + 16.0 \times 4) \times 100 = 48.5$  weight percent of iron, where 55.9, 54.9, and 16.0 are the atomic weights of Mn, Fe, and oxygen, respectively.

Claims 13 and 14 are canceled and replaced by claims 15 and 16. The wrapper is made of a mixture of ground spinel and resin, which is directly coated or sprayed onto the container. Claims 15 and 16 are added to avoid the confusion of substrate.

Claim 17 further limits claim 15. No new matter is added.

Claims 1-7 are rejected under 35 USC 103(a) as being obvious in view of cited reference, Netherton 060. Netherton discloses the use of spinel as pigment when incorporated into plastics. It mentions no irradiation at all. It is unrelated to the aging of wine. The present invention uses resin as a carrier or medium and is unrelated to color displays. Furthermore, the present invention claims a specific spectral range of far-infrared radiation, 18-30 microns, and weight percentage of trivalent iron,  $Fe^{+++}$ , in B of spinel,  $AB_2O_4$ , of at least 30%.

Netherton discloses nothing about the preferred spectral range of far-infrared radiation used, nor the specific requirement of trivalent iron as claimed in the present invention. Therefore, it cannot obviate the present invention as claimed. In conclusion, Netherton makes no suggestions regarding the aging of wine by irradiation.

In view of the above amendments, the claims as amended are patentably distinguished from Netherton's

It is believed the claims as amended are patentable. Withdrawal of rejections and reconsideration are requested, and an early notice of allowance would be appreciated.

Respectfully submitted

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